SUBJECT: Application for a Zoning By-law Amendment for Lands Located at 598 and 600 Upper Sherman Avenue (Hamilton) (PED07040) (Ward 7)

RECOMMENDATION:

That approval be given to Zoning Application ZAR-06-59, Dusan and Elizabeth Rados, owners, for changes in zoning from the “H” (Community Shopping and Commercial, etc.) District to the “H” (Community Shopping and Commercial, etc.) District, Modified, (Block “1”) to recognize the existing building containing commercial use and one dwelling unit, and parking for the adjacent lands at 600 Upper Sherman Avenue; from the “C” (Urban Protected Residential, etc.) District to the “C” (Urban Protected Residential, etc.) District, Modified, (Block “2”) to recognize the existing three family dwelling, parking and access for the adjacent lands at 598 Upper Sherman Avenue; and from the “DE” (Low Density Multiples) District to the “C” (Urban Protected Residential, etc.) District, Modified, (Block “3”) to recognize the existing three family dwelling, the location of the subject lands, as shown on Schedule “A” to Appendix “D” to Report PED07040, subject to the following:

(a) That Block “1” be rezoned from the “H” (Community Shopping and Commercial, etc.) District to the “H/S-1572” (Community Shopping and Commercial, etc.) District, Modified;

(b) That Block “2” be rezoned from the “C” (Urban Protected Residential, etc.) District to the “C/S-1572” (Urban Protected Residential, etc.) District, Modified;

(c) That Block “3” be rezoned from the “DE” (Low Density Multiples) District to the “C/S-1572” (Urban Protected Residential, etc.) District, Modified;
(d) That the draft By-law, attached as Appendix “D” to Report PED07040, which has been prepared in a form satisfactory to the City Solicitor, not be forwarded to City Council for enactment until:

(i) the applicant relocates the existing mobile sign in accordance with By-law requirements, to the satisfaction of the Director of Building and Licensing.

(ii) removes or trims the existing vegetation which impedes sightlines at the entrance to the property, to the satisfaction of the Supervisor, Traffic Planning Section, Operations and Maintenance Division, Public Works Department.

(e) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan and the Hamilton Official Plan.

Lee Ann Coveyduck
General Manager
Planning and Economic Development Department

EXECUTIVE SUMMARY:

This application is required as the result of a recently approved Committee of Adjustment severance application (Appendix “C”) that recreated two lots that had merged in title. The current configuration of the lands, with one residential building and one commercial/residential building, are non-conforming to the Zoning By-law. This application will also serve to recognize the existing non-conforming parking and access arrangements, consisting of commercial parking and access being located on the proposed residential lot and residential parking being located on the proposed commercial lot.

The proposal has merit and can be supported as the change in zoning is consistent with the Provincial Policy Statement and conforms to the Hamilton-Wentworth Official Plan and the Hamilton Official Plan. The proposal is compatible with other development in this area.

BACKGROUND:

The proposed Zoning By-law Amendment is for changes in zoning from the “H” (Community Shopping and Commercial, etc.) District (Block “1”, Appendix “D”), the “C” (Urban Protected Residential, etc.) District (Block “2”) and the “DE” (Low Density Multiples) District (Block “3”) to the “H” (Community Shopping and Commercial, etc.)
The applicant received conditional approval from the Committee of Adjustment to sever the lands on May 17, 2006 (HM/B-06:53, Appendix “C”). The severance was conditional on the applicant receiving a rezoning to recognize the existing conditions that resulted from the lots being merged in title. The approval includes cross easements for parking and access. The parking and access for 598 Upper Sherman Avenue, being the commercial/residential use, will be provided in the front yard of the adjacent residential lot at 600 Upper Sherman Avenue. The parking for the residential use at 600 Upper Sherman Avenue will be provided in the rear yard of 598 Upper Sherman Avenue.

The lands were historically two separate parcels and were developed as individual entities. The property known as 600 Upper Sherman Avenue was constructed as a residential building in the early part of the 1950’s. The building located on 598 Upper Sherman Avenue was constructed as a commercial building in 1959. This application will permit this situation to continue by legalizing the non-conforming status of the use, parking areas, access, and the location of the buildings. Numerous modifications for each proposed lot are required to achieve this.

Details of Submitted Application

Owner/Applicant: Dusan and Elizabeth Rados

Agent: A. J. Clarke and Associates Ltd. (Stephen Fraser)

Location: 598-600 Upper Sherman Avenue, Northeast Quadrant of the Burkholme Neighbourhood (see Appendix “A”)

Property Size: #598 #600
Area: 319m² (3,433.80ft²) 784m² (8,439.18ft²)
Frontage: 8.89m (29.17ft) 19.81m (64.99ft)

Existing Land Use and Zoning:

<table>
<thead>
<tr>
<th>Subject Lands:</th>
<th>Existing Land Use</th>
<th>Existing Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>#598 – Commercial (Personal Service Shop) With One Residential Unit Above</td>
<td>“H” (Community Shopping and Commercial, etc.) District.</td>
<td></td>
</tr>
</tbody>
</table>
### Existing Land Use

<table>
<thead>
<tr>
<th>#600 – Three Dwelling Units</th>
</tr>
</thead>
</table>

### Existing Zoning

| “C” (Urban Protected Residential, etc.) District and “DE” (Low Density Multiples) District |

### Surrounding Lands:

<table>
<thead>
<tr>
<th>North</th>
<th>Commercial Building fronting onto Fennel Avenue East</th>
</tr>
</thead>
<tbody>
<tr>
<td>West</td>
<td>Multiple Dwelling with six dwelling units</td>
</tr>
<tr>
<td>South</td>
<td>Single Family Dwellings</td>
</tr>
<tr>
<td>East</td>
<td>Commercial fronting onto Fennel Avenue East and Single Family Dwellings</td>
</tr>
</tbody>
</table>

### ANALYSIS/RATIONALE:

1. The proposal has merit and can be supported for the following reasons:
   
   (i) The proposed changes in zoning are consistent with the Provincial Policy Statement and conform to the Hamilton-Wentworth Official Plan and the City of Hamilton Official Plan.

   (ii) The proposal implements the “Low Density Apartments” and the “Commercial” designations in the approved Burkholme Neighbourhood Plan.

   (iii) The proposal is compatible with existing and planned development in the surrounding area, and is appropriate as it will recognize an existing situation.

   (iv) It implements a condition of severance approval (see Appendix “C”).
2. The existing commercial/residential use at 598 Upper Sherman Avenue is permitted by the existing “H” (Community Shopping and Commercial, etc.) District. The rezoning (Block “1”, Appendix “D”) will legalize the current deficiencies and allow the re-creation of the lot. The deficiencies that exist for this parcel include minimum lot area and frontage, principle and accessory building locations, parking use, and parking area location and layout. With the exception of the deficiencies created by the severance (i.e. off-site parking and access, lot frontage and area), the remaining deficiencies currently exist and, as such, this application will not create additional non-conformities out of character with the area.

3. The existing use at 600 Upper Sherman Avenue is that of a legally established non-conforming three family dwelling. The use has existed for an extended period of time with minimal impact on surrounding uses. This application will recognize this legally established non-conforming use within the current building (Block “2”, Appendix “D”), thereby maintaining the character of the neighbourhood and the existing housing stock. The deficiencies that exist for this parcel include use, building location, and parking use and layout. With the exception of off-site parking which will be created from the severance, all of these deficiencies currently exist and, as such, this application will not create additional non-conformities out of character with the area.

4. There are full municipal services available and utilized by the subject properties. No upgrades or alterations to these services are required as a result of this application.

5. Parking is presently provided on the subject lands in a fashion that is tenant friendly, but non-complying with respect to the provisions of the Zoning By-law. The non-complying aspects include the parking stall sizes, aisle width sizes, and the access driveway width. The application will recognize the current parking provided on-site (except for the front yard parking which allows vehicular reversals onto the street which will continue as legal non-conforming) and in a quantity that surpasses the minimum requirements of the Zoning By-law. The proposed zoning for 598 Upper Sherman Avenue requires a minimum of one (1) parking space and five (5) spaces are provided. The proposed zoning for 600 Upper Sherman Avenue requires a minimum four (4) parking spaces and four (4) spaces are provided. The site has functioned in the current configuration for a number of years without significant adverse impacts to the surrounding uses.

6. In response to precirculation, concerns were raised from an area property owner (Appendix “E”) regarding a parking deficiency on their street. The neighbouring property in question is located on Cheryl Avenue, which is located on the east side of Upper Sherman Avenue, south of the subject lands. Cheryl Avenue runs in an east to west direction while Upper Sherman Avenue runs in a north to south direction. The applicant is providing more parking than required by the
Zoning By-law as indicated in Comment 5 (above). The Parking Section has not indicated any concerns regarding the existing situation.

7. The Traffic Planning Section, Operations and Maintenance Division of the Public Works Department, has advised that an existing mobile sign impedes sightlines for motorists that are leaving the property. The existing vegetation adjacent to the driveway entrance is not maintained, and as a result, also impedes motorists’ sightlines. The Section recommends that the mobile sign be relocated in accordance with the requirements of the By-law and their sightline requirements, and that the vegetation either be removed or trimmed.

The City has implemented a new Sign By-law that becomes effective February 1, 2007, which regulates signs, including mobile signs. The relocation of the sign will be in accordance with the new Sign By-law, which has been enacted under the Municipal Act.

Staff recommends that the amending By-law for the subject application not be enacted by Council until the sign is relocated, to the satisfaction of the Director of Building and Licensing, and the vegetation either removed or trimmed, to the satisfaction of the Supervisor, Traffic Planning Section.

**ALTERNATIVES FOR CONSIDERATION:**

If these applications are denied, the lands will remain as one large parcel with the current zoning of “H” (Community Shopping and Commercial, etc.) District, “C” (Urban Protected Residential, etc.) District and “DE” (Low Density Multiples) District, and the consent application will lapse. In this case, the lands may only be used as the current legal non-conforming uses or in accordance with the current zoning.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Financial: N/A.

Staffing: N/A.

Legal: As required by the Planning Act, Council shall hold at least one (1) Public Meeting to consider an application for a Zoning By-law Amendment.

**POLICIES AFFECTING PROPOSAL:**

Provincial Policy Statement:

The application has been reviewed with respect to the Provincial Policy Statement (PPS). Staff recognizes that the application is consistent with the policies that focus growth in settlement areas (Policy 1.1.3.1.).
Hamilton-Wentworth Official Plan:

The subject lands are designated “Urban Area” within the Hamilton-Wentworth Official Plan. Policy 3.1 outlines that a wide range of urban uses, defined through Area Municipal Official Plans and based on full municipal services, will be concentrated in the Urban Areas. As the nature of the application is for a change in zoning to recognize and legalize the existing situation, where full municipal services are available, the proposal is in conformity with the policies of the Hamilton-Wentworth Official Plan.

City of Hamilton Official Plan

The subject lands are designated “Commercial” on Schedule A. Staff note that the existing residential dwelling on the lands known as 600 Upper Sherman Avenue is considered a non-complying use as per Subsection A.3.3 – Non-Complying Uses of the Plan. In this regard, Policy A.3.3.4 states:

“3.3.4 Notwithstanding Policies A.3.3.1 and A.3.3.2 above, and Subsection D.3, where an existing use of land does not comply with the land use designations shown on Schedule “A” or their related policies, Council may recognize this use or other NON-COMPLYING USE in the Zoning By-law, provided that:

i) It does not aggravate any situation detrimental to adjacent uses;

ii) It does not constitute a danger to surrounding uses or persons by virtue of a hazardous nature, traffic generated, or other nuisance; and,

iii) It does not interfere with desirable development in adjacent areas that are in conformity with this plan.”

In accordance with the above, the proposed application conforms to the Official Plan. However, a housekeeping amendment to the Official Plan to reflect the current uses will be undertaken by staff as part of the City’s Official Plan Review.

Burkholme Neighbourhood Plan

The subject property is identified as “Commercial” (front portion) and “Low Density Apartments” (a rear portion) in the Burkholme Neighbourhood Plan. The proposed rezoning conforms to the intent of the Burkholme Neighbourhood Plan.

Consultation with Relevant Departments/Agencies:

Departments/Agencies with no concerns or objections:

- Forestry Section, Operations and Maintenance Division, Public Works Department
• Culture and Recreation Division, Culture and Recreation Department
• Strategic and Environmental Planning Section, Capital Planning and Implementation Division, Public Works Department
• Finance, Corporate Services Department
• Parking Planning Section, Hamilton Municipal Parking System, Planning and Economic Development Department
• Horizon Utilities Corporation
• Hamilton-Wentworth District School Board

Traffic Planning Section, Operations and Maintenance Division, Public Works Department

As the rezoning application for these properties does not involve any modifications to the use of the properties or physical changes to the site layout, we do not object to the change in zoning. However, we have the following recommendations to improve motorist sightlines at the access points to Upper Sherman Avenue.

We require minimum 3.0 x 3.0 m vision triangles adjacent to the access points, to be measured along the Upper Sherman Avenue road allowances. No vegetation or object within the vision triangle may exceed a height of 0.7m higher than the centreline elevation of Upper Sherman Avenue. The property south of the access to No. 600 is higher in elevation than the access. There is a mobile sign directly adjacent to the access to No. 600 on top of the elevated area which is within the vision triangle area and blocks visibility for outbound drivers. This mobile sign must be removed or relocated to a location back from the road allowance limit where driver visibility is not affected. We also note that the existing vegetation along the front property line should be trimmed to improve visibility for outbound drivers.

There is a permanent advertising sign for 598 Upper Sherman Avenue noted on the plan that appears to be situated in the 3.0m x 3.0m vision triangle area on the north side of the access. The sign face does not directly impact driver visibility as it appears higher than driver’s eye height. However, the weeds and vegetation under the sign should be removed or trimmed to a maximum height of 0.7m (approx. 2 feet).

The following information is provided for the applicant:

The applicant should be advised that the Traffic office will recommend modifications to the accesses and parking lot layout as conditions of approval should any future development related applications be submitted. Any works required at that time would be undertaken, at the applicant’s expense, to the satisfaction of the Acting Manager of Traffic Engineering & Operations. Potential access reconstruction would include the following:

• widen the access to 600 Upper Sherman Avenue to a minimum 6.0m (preferred 7.0m).
• remove the access to the spaces in the front of the commercial building as it is undesirable to provide parking in the front of the building at 598 Upper Sherman Avenue that requires drivers to reverse out of the parking space onto the roadway.

For the information of the applicant, any new or change in access to Upper Sherman Avenue requires an Access Permit from this office.

PUBLIC CONSULTATION:

This application is subject to the Public Participation Policy that was approved by Council on May 29, 2003. The initial Pre-Circulation letter was circulated on August 31, 2006, to 170 property owners within 120 metres of the subject property. A Public Notice sign was also posted on the subject lands in the early part of August 2006. One letter of concern (Appendix “E”) was received regarding this application, which is addressed in the Analysis/Rationale Section of this report.

Notice of the Public Meeting for this rezoning application will be circulated to property owners within 120 metres of the subject lands and through a sign posted on the property in accordance with the requirements of the Planning Act.

CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

Community Well-Being is enhanced. ☑ Yes ☐ No
Shelter, care and satisfying employment are accessible to all Hamiltonians.

Environmental Well-Being is enhanced. ☑ Yes ☐ No
Ecological function and the natural heritage system are protected.

Economic Well-Being is enhanced. ☑ Yes ☐ No
Investment in Hamilton is enhanced and supported.

Does the option you are recommending create value across all three bottom lines? ☑ Yes ☐ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☑ Yes ☐ No

:SB
Attaches. (5)
Change in Zoning from the “H” (Community Shopping and Commercial, etc.) District, the “C” (Urban Protected Residential, etc.) District and the “DE” (Low Density Multiples) District to the “H” (Community Shopping and Commercial, etc.) District, Modified and the “C” (Urban Protected Residential, etc.) District, Modified
Appendix “C” to Report PED07040 - Page 1 of 3

Committee of Adjustment
City Hall
7th floor, 71 Main Street West
Hamilton, ON, L8P 4V9
Telephone (905) 546-2424, ext. 4221
Fax (905) 546-4302

Hamilton

COMMITTEE OF ADJUSTMENT
NOTICE OF DECISION

APPLICATION FOR CONSENT LAND SEVERANCE

APPLICATION NO. HM/B-08:53
SUBMISSION NO. 8-53/06

IN THE MATTER OF The Planning Act, R.S.O. 1990, Chapter P13, Section 53(1);

AND IN THE MATTER OF the Premises known as Municipal number 598-600 Upper Sherman Ave., in the City of Hamilton;

AND IN THE MATTER OF AN APPLICATION by the agent A.J. Clarke and Associates Ltd. (Stephen Fraser) on behalf of the owners Dusan and/or Elizabeth Rados, for consent under Section 53(1) of The Planning Act, R.S.O. 1990, Chapter 13, so as to permit the conveyance of a parcel of land (Parts A, B, C & D on attached sketch) measuring 8.98m x 35.97m containing an existing 2 storey brick building for commercial/residential purposes, and to retain an irregular shaped parcel of land (Parts E & F on attached sketch) having a frontage of 19.81m and an area of 784m² containing an existing 2 storey brick building for residential purposes, and also to establish reciprocal rights easements for ingress, egress and parking purposes.

THE DECISION OF THE COMMITTEE IS:

That the said application IS APPROVED for the following reason:

1. The Committee is of the opinion that a plan of subdivision of the lands is not necessary, in this case, for the proper and orderly development of the municipality.

Having regard to the matters under subsection 51(24) of the Planning Act, R.S.O. 1990, c.P. 13, the said application shall be subject to the following conditions.

1. The owner shall submit a deposited Ontario Land Surveyor's Reference Plan to the Committee of Adjustment Office, unless exempted by the Land Registrar.

2. That the owner receives final approval of any necessary rezoning for both the proposed conveyed and retained lots to permit parking associated with uses on the other lot, to the satisfaction of the Manager, Development Planning.

3. That the Owner provide separate independent sewer services to both the conveyed and retained lands or alternatively provide proof thereof.

4. The applicant shall receive final approval of any variances from the requirements of the Zoning By-law as determined necessary by the Planning and Development Department (Building & Licensing Division).

DATED AT HAMILTON this 17th day of May, 2006.

M. Dudzic, Chairman

[Signature]

[Signature]
THE DATE OF GIVING OF THIS NOTICE OF DECISION IS May 24th, 2006.
HEREIN NOTED CONDITIONS MUST BE MET WITHIN ONE (1) YEAR OF THE DATE OF THIS
NOTICE OF DECISION (May 24th, 2007) OR THE APPLICATION SHALL BE DEEMED TO BE
REFUSED (PLANNING ACT, SECTION 53(41)).

NOTE: THE LAST DATE ON WHICH AN APPEAL TO THE ONTARIO MUNICIPAL

NOTE: THIS DECISION IS NOT FINAL AND BINDING UNLESS OTHERWISE NOTED.
WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item of Report 07- of the Economic Development and Planning Committee at its meeting held on the day of , 2007 recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Sheet Nos. E-25 and E-26 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), are hereby amended by:
   a) changing Block “1” from the “H” (Community Shopping and Commercial, etc.) District to the “H/S-1572” (Community Shopping and Commercial, etc.) District, Modified;
   b) changing Block “2” from the “C” (Urban Protected Residential, etc.) District to the “C/S-1572” (Urban Protected Residential, etc.) District, Modified; and, 
   c) changing Block “3” from the “DE” (Low Density Multiples) District to the “C/S-1572” (Urban Protected Residential, etc.) District, Modified;

   the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

2. That notwithstanding any provision to the contrary of Zoning By-law No. 6593, the “H” (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 and the parking regulations as contained in Section 18A of Zoning By-law No. 6593, be modified for Block “1” as described in Section 1 of this By-law to include the following special requirements:
   a) A minimum lot width of 8.8 metres shall be provided and maintained.
   b) A minimum lot area of 310 square metres shall be provided and maintained.
   c) For the building, accessory structure and parking areas existing on the date of the passing of this by-law, being the ______ day of ____, 2007, the following shall apply:
      i) A minimum front yard setback of 5.5 metres to the building.
      ii) A minimum southerly side yard setback of 0.0 metres to the window wells and the building.
      iii) A minimum northerly side yard setback to the building of 0.1 metres.
      iv) No landscaping shall be required.
      v) A minimum rear yard setback of 0.0 metres to the accessory structure.
      vi) A minimum northerly side yard setback of 0.0 metres to the accessory structure.
vii) Four parking spaces shall be provided and maintained within the rear yard of the building, for the uses on Blocks “2” and “3” as described in Section 1 of this by-law.

viii) The parking areas shall be deemed to comply with the requirements of Section 18A of By-law No. 6593 with respect to the parking stall size, manoeuvring and aisle way width.

ix) Parking for the permitted uses may be provided on Blocks “2” and “3” as described in Section 1 of this by-law.

x) A two-way driveway access having a minimum width of 2.4 metres may be provided from Upper Sherman Avenue through Block “2” as described in Section 1 of this by-law.

xi) No landscape strip or planting strip containing a visual barrier shall be required to be provided.

3. That notwithstanding any provision to the contrary of Zoning By-law No. 6593, the “C” (Urban Protected Residential, etc.) District regulations as contained in Section 9 and the parking regulations as contained in Section 18A of Zoning By-law No. 6593, be modified for Blocks “2” and “3” as described in Section 1 of this By-law, to include the following special requirements for the building and parking area existing on the date of the passing of this by-law, being the ______ day of ______, 2007:

a) A three family dwelling shall be permitted only within the existing building.

b) Four parking spaces located in the front yard shall be provided for the uses on Block “1” as described in Section 1 of this by-law.

c) The parking area shall be deemed to comply with the requirements of Section 18A of this by-law with respect to the parking stall size and aisleway width.

d) A minimum northerly side yard setback of 1.0 metre to the building.

e) A minimum southerly side yard setback of 1.0 metre to the building.

f) A minimum rear yard setback of 2.2 metres to the building.


g) No landscape strip or planting strip containing a visual barrier shall be required.

h) A two-way access driveway having a minimum width of 2.4 metres shall be provided.

i) An access driveway for Block “1” as described in Section 1 of this by-law shall be provided.
j) Parking for the permitted uses may be provided on Block “1” as described in Section 1 of this by-law.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the “H” (Community Shopping and Commercial, etc.) District and the “C” (Urban Protected Residential, etc.) District provisions, subject to the special requirements referred to in Sections 2 and 3 of this By-law.

5. By-law No. 6593 (Hamilton) is amended by adding this by-law to Section 19B as Schedules S-1572.

6. Sheet Nos. W-25 and W-26 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1572.

7. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this day of , 2007.

__________________________________   ______________________________________
MAYOR                          CLERK

ZAR-06-59
Schedule “A”

Map Forming Part of By-law No. 07-

to Amend By-law No. 6593

Subject Property
598 and 600 Upper Sherman Avenue, Hamilton

Block 1 - Change in Zoning from the "H" (Community Shopping and Commercial, etc.) District to the "H" (Community Shopping and Commercial, etc.) District, Modified

Block 2 - Change in Zoning from the "C" (Urban Protected Residential, etc.) District to the "C" (Urban Protected Residential, etc.) District, Modified

Block 3 - Change in Zoning from the "DE" (Low Density Multiples) District to the "C" (Urban Protected Residential, etc.) District, Modified
Sent: Friday, September 08, 2006 10:23 AM
To: Baldry, Scott
Subject: File No ZAR-06-59

Good Morning

Thank you for your message regarding this matter of changing the zoning.
Please advise which would be better as this matter does have some issues.
Would you prefer a letter by e-mail from myself expressing our concerns of parking on our street, a parking is limited our home alone, we require parking for darts buses, which is already designated parking and times, but also we have care workers coming and going in our home, this is our home only not including the neighbours parking. I do know there has been some concern from the neighbours, Should we each send a letter or can we send one letter with many signatures from the home owners? Please advise.
Thank you for your time
Wendy Charlesworth
6 Cheryl Ave